

AO 440 (Rev. 8/01) Summons in

il Action

JUDGE PRESNA

UNITED STATES DISTRICT COURT

SOUTHERN

District of

NEW YORK

AMADOU DIALLO,

Plaintiff,

SUMMONS IN A CIVIL ACTION

-against-

THE CITY OF NEW YORK, PO JAMES DIAZ
(Shield 24459), PO RASHIED RICHARDSON
(Shield 27421), SGT. KEVIN ROUGHNEEN (Tax ID
918255, SGT. GUERRERO and JOHN DOES 1-5

CASE NUMBER:

Defendants.

'08 CIV 4390

TO: (Name and address of Defendant)

SGT. KEVIN ROUGHNEEN
NYC Police Department
315 Hudson Street, 3rd Fl., Room 3
New York, NY 10013

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

JOEL BERGER
360 LEXINGTON AVENUE, 16th Fl.
NEW YORK, NY 10017-6502

an answer to the complaint which is served on you with this summons, within 20 days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

J. MICHAEL McMAHON

CLERK

DATE

Catherine Lapley
(By) DEPUTY CLERK

AO 440 (Rev. 8/01) Summons in a Civil Action

RETURN OF SERVICEService of the Summons and complaint was made by me⁽¹⁾

DATE

July 9, 2008

NAME OF SERVER (PRINT)

David Washington

TITLE

Messenger

Check one box below to indicate appropriate method of service☐ Served personally upon the defendant. Place where served:☒ Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.

Name of person with whom the summons and complaint were left: Sergeant Don Stern, 315 Hudson St.

☐ Returned unexecuted:☐ Other (specify):**STATEMENT OF SERVICE FEES**

TRAVEL

SERVICES

TOTAL

\$0.00

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on July 9, 2008
Date
Signature of Server

221 W. 37th St., NYC 10018

Address of Server

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.